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Attorneys for Plaintiff  
10 UNITED STATES OF AMERICA  
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12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 DAEKUN CHO,  
aka "DK,"

18 Defendant.  
19

No. CR 23-00149-FMO

ORDER CONTINUING TRIAL DATE AND  
FINDINGS REGARDING EXCLUDABLE TIME  
PERIODS PURSUANT TO SPEEDY TRIAL  
ACT

**TRIAL DATE: 3-19-24**

20 The Court has read and considered the Stipulation Regarding  
21 Request for (1) Continuance of Trial Date and (2) Findings of  
22 Excludable Time Periods Pursuant to Speedy Trial Act, filed by the  
23 parties in this matter on September 22, 2023. The Court hereby finds  
24 that the Stipulation, which this Court incorporates by reference into  
25 this Order, demonstrates facts that support a continuance of the  
26 trial date in this matter, and provides good cause for a finding of  
27 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.  
28 / / /

1       The Court further finds that: (i) the ends of justice served by  
2 the continuance outweigh the best interest of the public and  
3 defendant in a speedy trial; (ii) failure to grant the continuance  
4 would be likely to make a continuation of the proceeding impossible,  
5 or result in a miscarriage of justice; and (iii) failure to grant the  
6 continuance would unreasonably deny defendant continuity of counsel  
7 and would deny defense counsel the reasonable time necessary for  
8 effective preparation, taking into account the exercise of due  
9 diligence.

10       THEREFORE, FOR GOOD CAUSE SHOWN:

11       1. The trial in this matter is continued from to October 17,  
12 2023 to March 19, 2024, at 9:00 a.m. The pretrial conference is  
13 continued to March 1, 2024, at 2:00 p.m. The discovery cutoff is  
14 extended to February 16, 2024.

15       2. Except as set forth above, the parties shall comply with  
16 the deadlines and requirements set forth in the Case Management  
17 Order, filed on April 12, 2023, (Dkt. 17).

18       3. The time period of October 17, 2023 to March 19, 2024,  
19 inclusive, is excluded in computing the time within which the trial  
20 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),  
21 and (B)(iv).

22       4. Nothing in this Order shall preclude a finding that other  
23 provisions of the Speedy Trial Act dictate that additional time  
24 periods are excluded from the period within which trial must  
25 commence. Moreover, the same provisions and/or other provisions of

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1 the Speedy Trial Act may in the future authorize the exclusion of  
2 additional time periods from the period within which trial must  
3 commence.

4 IT IS SO ORDERED.

5 September 22, 2023

6 DATE

/s/

HONORABLE FERNANDO M. OLGUIN  
UNITED STATES DISTRICT JUDGE

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9 Presented by:

10 /s/

11 KEVIN J. BUTLER  
12 Assistant United States Attorney  
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